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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,834	07/20/2005	Andrew G.L. Blackwood	041618-77	8811
22204	7590	01/09/2008		
NIXON PEABODY, LLP			EXAMINER	
401 9TH STREET, NW			RASHID, MAHBUBUR	
SUITE 900				
WASHINGTON, DC 20004-2128			ART UNIT	PAPER NUMBER
			3683	
			MAIL DATE	DELIVERY MODE
			01/09/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/517,834	BLACKWOOD ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Mahbubur Rashid	3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 October 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3-10 and 12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

Claims 1, 3-10 and 12 are presented in the application.

Claims 1, 6, 7, 9, and 12 have been amended.

Claims 2 and 11 have been cancelled.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 1 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Regarding **claim 1**, in line 8, “an intermediate regeneration” – is not clear if the applicant is referring it to the intermediate regeneration disclosed in line 5 of claim 1 or it is a different intermediate regeneration. If it is a different intermediate regeneration then it is not clear which one of the intermediate regenerations (one in line 5 or one in line 8) the applicant is referring as the intermediate regeneration in line 11 of claim 1. Appropriate correction is required.

Regarding **claim 7**, in line 3, “a time” – is not clear if the applicant is referring it to the timer disclosed in line 11 of claim 1 or it is a different time which is adapted to open the valve. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, and 3-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Beck et al (WO 01/17834).**

Regarding claim 1, Beck teaches a vehicle air supply system having a compressor (12), an air dryer (14), a reservoir (18) adapted to receive air from the compressor via the air dryer and control means (20) operable to cause standard regeneration of the air dryer when a predetermined system condition is met (abstract), the control means also being operable to cause an intermediate regeneration of the air dryer in advance of the predetermined system condition being met, wherein the control means are further operable to inhibit said intermediate regeneration. Please note that the control means (20) can allow or prevent the regeneration depending on whether the valves are open or closed.

**Re-claim 6, see line (40) and the abstract.**

**Re-claim 3, see page 8 lines 9-15.**

**Re-claims 4-5, see page 2 lines 20-22.**

**Re-claims 7-9, see page 2 lines 26-35 and element 24.**

**Re-claim 10**, please note that there must be some means to block the signal so as to inhibit an intermediate regeneration or there would always be intermediate regeneration in progress.

***Allowable Subject Matter***

**Claim 12** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

Applicant's arguments filed 10/19/2007 have been fully considered but they are not persuasive.

The applicant argues in page 7 of the remarks, that the Beck reference *discloses* a vehicle air supply system and a timer to *cause* an intermediate regeneration, but does *not disclose* the use of the timer to *inhibit* an intermediate regeneration as recited in amended independent claim 1. The examiner respectfully notes that the applicant discloses a timer which is operable to cause or inhibit the intermediate regeneration in line 11 of the amended independent claim 1. The Examiner has given the broadest reasonable interpretation of the limitation "or" to mean that the timer is operable to cause the intermediate regeneration which is disclosed in the Beck reference (see page 7 of the applicant's remark filed on 10/19/2007).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

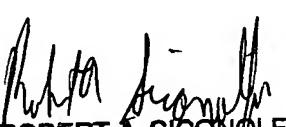
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mahbubur Rashid whose telephone number is (571) 272-7218. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on (571) 272-7124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ROBERT A. SICONOLFI  
SUPERVISORY PATENT EXAMINER  
1/1/08